

UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE: :
MARK JOSEPH KOSEK and :
CAROL LYN KOSEK : CHAPTER 13
Debtors. :

PNC BANK, NATIONAL ASSOCIATION :
Movant, :
: vs. :
MARK JOSEPH KOSEK and :
CAROL LYN KOSEK : CASE NO. 5-21-02442
Respondents. :

OBJECTION TO CERTIFICATION OF DEFAULT

NOW COMES, Mark and Carol Kosek, the above Debtors, by and through their counsel, Tullio DeLuca, Esq., and files this Objection to Certification of Default and states the following:

1. On April 14, 2023, Movant filed a Motion for Relief from the Automatic Stay due to a default in monthly payments.
2. On October 31, 2023, Movant filed a Certificate of Default stating that the Debtors has failed to cure the arrears.
3. Debtors Counsel in attempting to contact the Debtors to ascertain if payments were made and/or if Debtor is in possession of payments to cure the alleged default.
4. The Debtors request that a hearing be scheduled on the Objection to the Certificate of Default.

WHEREFORE, the Debtors respectfully requests that this Honorable Court sustain the Objection to the Certification of Default and deny the granting of relief from the automatic stay.

Respectfully submitted,

Date: November 1, 2023

/s/Tullio DeLuca
Tullio DeLuca, Esquire

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on November 1, 2023 he caused a true and correct copy of Debtor's Objection to Certification of Default to be served Via electronic filing on the following CM/ECF participants:

Jack N. Zaharopoulos, Esq. at info@pamd13trustee.com

Brian Nicholas, Esq. at bnicholas@kmllawgroup.com

Date of Mailing: November 1, 2023

/s/Tullio DeLuca

Tullio DeLuca, Esquire